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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JERMANE WILLIAMS,)
)
Defendant.)
_____)

No. CR 09-0074 MMC

**~~PROPOSED~~ ORDER OF DETENTION
OF DEFENDANT JERMANE
WILLIAMS**

The defendant JERMANE WILLIAMS came before this Court on March 27, 2009 for a detention hearing. The defendant was present and represented by Loren Stewart, Esq. Special Assistant United States Attorney Jeane Hamilton represented the United States.

The government requested detention, submitting that no condition or combination of conditions would reasonably assure the appearance of the defendant as required and the safety of the community.

Pretrial Services submitted a report recommending detention.

Upon consideration of the Pretrial Services report, the court file and the party proffers as

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discussed below, the Court finds by a preponderance of evidence that no condition or combination of conditions of release could reasonably assure the appearance of the defendant as required. The Court orders the defendant detained.

The present order supplements the Court's findings at the detention hearing and serves as a written findings of fact and statement of reasons as required by 18 U.S.C. § 3142(I).

The Bail Reform Act of 1984, 18 U.S.C. §§ 3141-50, sets forth the factors which the Court must consider in determining whether pretrial detention is warranted. In coming to its decision, the Court has considered those factors, paraphrased below:

- (1) the nature and seriousness of the offense charged;
- (2) the weight of the evidence against the person;
- (3) the history and characteristics of the person including, among other considerations, employment, past conduct and criminal history, and records of court appearances; and
- (4) the nature and seriousness of the danger to any person or the community that would be posed by the person's release.

18 U.S.C. § 3142(g).

In considering all of the facts and proffers presented at the hearing, the Court finds the following factors among the most compelling in reaching its conclusion that no combination of conditions could reasonably assure the defendant's future appearances and the community's safety. First, the defendant has a lengthy criminal history. Second, over twenty-five bench warrants have been issued in state court to compel the defendant to appear at criminal proceedings. Third, the defendant's parole has been revoked three times. Fourth, the defendant failed to complete his assignment to Walden House and became a fugitive for some period of time. His conduct demonstrates that he is not amenable to supervision during release to the community. Sixth, no individual was able to act as a surety.

Accordingly, pursuant to 18 U.S.C. § 3142(I), IT IS ORDERED THAT:

- (1) the defendant is committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) the defendant be afforded reasonable opportunity for private consultation with his counsel; and

(3) on order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

Dated: April 7, 2009

